



Planning Inspectorate

Appeal Decision

Site visit made on 11 August 2025

By **SJ Desai BSc MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 22 August 2025

Appeal Ref: APP/V2255/D/25/3365785

24 Athelstan Road, Faversham, Kent ME13 8QL

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Sam Roberts against the decision of Swale Borough Council.
 - The application Ref is 24/505003/FULL.
 - The development proposed is described as "Demolition of existing rear extension, erection of a single storey rear and side extension, insertion of new window to side elevation, loft conversion with rear dormer including Juliet Balcony and rooflights to front elevation. Creation of new pedestrian access gate from adjacent public footpath following removal of existing pedestrian access gate. Removal of existing chimney".
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have changed the description of the proposed development in the banner heading above to that used on the Decision Notice and Appeal Form, which provide greater clarity and accuracy.
3. The appellant argues that the Council's 'Designing an Extension: A Guide for Householders' Supplementary Planning Guidance (the SPG) is outdated, having been prepared under a previous Local Plan. However, I am satisfied that the SPG's underlying design principles remain relevant and supported by the policies within the current Bearing Fruits 2031: The Swale Borough Local Plan (2017) (SBLP). As such, the SPG has been a material consideration in my assessment.

Main Issue

4. The main issue is the effect of the proposed development on the character and appearance of the host dwelling and the surrounding area, including whether it would preserve or enhance the character or appearance of the Faversham Conservation Area (CA).

Reasons

5. The appeal property is a two-storey end-of-terrace Victorian dwelling, occupying a prominent position immediately adjacent to a public footpath. The building retains the characteristic L-shaped footprint typical of this terrace, incorporating a two-storey rear wing and an attached single-storey element to the rear. Although there are examples of roof extensions within the wider locality, the prevailing roofscape is defined by traditional, largely unaltered roof forms.

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6. The appeal site is also located in the CA. The terms of Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 require me to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.
7. The CA's significance derives from its historic street pattern, traditional architecture and detailing, which together create strong collective interest. The host dwelling and terrace contribute positively through their generally consistent plan form, proportions and detailing, reinforcing the established character and appearance of the area.
8. Policies CP4, DM14, DM16 and DM33 of SBLP and Policies FAV10 and FAV11 of the Faversham Neighbourhood Plan 2023-2038 (2024) (NP) place significant emphasis on maintaining local distinctiveness, ensuring extensions are appropriately scaled and the retention of original architectural details and features, particularly in conservation areas.
9. The proposed full-width rear extension, with its dual-pitched roof, would obscure the characteristic L-shaped plan form central to both the host dwelling and the terrace. Its scale and roof design would create a bulky and dominant addition rather than a subordinate one. The side-facing window onto the footpath would also appear incongruous and discordant. Collectively, the proposal would harm the building's architectural integrity, disrupt the terrace's rhythm, and harm the character and appearance of the CA.
10. My attention has been drawn to paragraphs 5.4 and 5.5 of the SPG which outline that dormers should be in proportion with the roof and only as large as necessary to allow light into the roof space. They should also be no deeper than half the depth of the roof slope and should normally have pitched roofs with tiles to match the main roof.
11. The proposed rear dormer would have a large flat roof expanse rather than a pitched roof and be significantly deeper than half the depth of the roof slope, resulting in a dominating feature and overwhelming the original form and proportions of the roof. Its scale, bulk, and the incorporation of a Juliet balcony would introduce an intrusive and uncharacteristic high-level feature, harmful to the host building's architectural balance.
12. Although views from Athelstan Road would be limited, the extensions would be prominent from the public footpath, appearing overbearing and visually dominant, thereby harming the CA's character and appearance. Matching materials would not mitigate this impact. The proposed front rooflights, as a result of their modest scale, would have a limited impact upon the roof slope and street scene. However, the removal of the existing chimney stack, an established feature repeated across the terrace and wider townscape, would further diminish the building's contribution to the CA. Accordingly, the proposal would fail to preserve or enhance the CA.
13. Several examples of similar developments have been cited by the appellant, including at the adjacent 26 Athelstan Road, which the Council suggest was introduced prior to the extension of the CA boundary, and development at 2 and 104 Athelstan Road. I do not have comprehensive details of the planning context or justification for those developments. Notably, they differ in both their relationship to, and visibility within, the public realm. On the evidence presented I therefore cannot be certain that they represent a direct parallel to the development. I have therefore

determined this appeal on its own merits and find that the presence of other such developments does not justify further harm at this site.

14. The proposal would cause harm to the significance of the CA for the reasons set out above. Given the scale and location of the proposed development, the harm would be less than substantial in terms of the National Planning Policy Framework (2024) (the Framework). In these circumstances Paragraph 215 of the Framework requires me to weigh the harm against the public benefits of the proposal. I have had regard to the public benefit associated with improvement to the quality of accommodation. However, I am not persuaded that this benefit which is modest in scale is sufficient to outweigh the harm identified and the great weight that should be given to the heritage asset's conservation.
15. Overall, I conclude that the proposal would harm the character and appearance of the host dwelling and the surrounding area and would not preserve or enhance the character or appearance of the CA. As such, the proposal would conflict with Policies CP4, DM14, DM16 and DM33 of the SBLP and Policies FAV10 and FAV11 of the NP which amongst other things, seek to conserve and enhance the historic environment, and deliver high quality design that is respectful, appropriately scaled and responds positively to local context. The proposal would also be contrary to the guidance within the SPG, which aims to safeguard the appearance of the area.

Other Matters

16. Although the appellant highlights a willingness to make amendments to the proposal, the appeal process should not be used to evolve a scheme, and it is important that what is considered by me at appeal is essentially the same scheme considered by the Council at the application stage. I have determined the appeal based on the plans before me and upon which the Council determined the application.
17. The appellant has referred to delays in the determination of the application by the Council, the Council's use of an external consultant and the CA extension being inadequately publicised. Such procedural matters do not carry determinative weight in the context of this appeal and do not alter the planning merits or policy compliance of the proposal.
18. The Council have raised no concern in respect of the relocation of the side access and based upon the evidence before me, and my observations on site, I agree.

Conclusion

19. The proposal does not accord with the development plan when considered as a whole and there are no material considerations, including the Framework, that indicate a decision should be made other than in accordance with it.
20. For the reasons given above, I conclude the appeal should be dismissed.

SJ Desai

INSPECTOR